

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,
Plaintiff,
v.
JOHNSTON BLACKHORSE,
Defendant.

Case No. 2:14-cr-00340-APG-PAL

**ORDER DIRECTING THE CLERK OF
COURT TO FILE DEFENDANT'S
MOTION UNDER 28 U.S.C. § 2255 AND
ORDERING A RESPONSE FROM THE
GOVERNMENT**

On September 16, 2016, defendant Johnston Blackhorse filed a document stating that he had previously filed a motion under 28 U.S.C. § 2255 on June 23, 2016, but no response had been ordered yet. He attached his motion, which appears to show a stamp from this court. ECF No. 46 at 2. The docket does not reflect any filing in this case on June 23, 2016. It is unclear why this document was not entered on the docket. However, a search of the clerk's office's day file discovered the filing and it will be docketed as filed as of June 23, 2016.

IT IS THEREFORE ORDERED that the United States shall file a response to the motion, if it has any, no later than November 4, 2016. Defendant may file a reply in support of the motion within 30 days after the Government files its response.

DATED this 4th day of October, 2016.

[Signature]

...and the world will be at peace.